

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Circuit Mediation Office
Phone (415) 355-7900 Fax (415) 355-8566
<http://www.ca9.uscourts.gov/mediation>

MEDIATION QUESTIONNAIRE

This form is available in a fillable version at http://cdn.ca9.uscourts.gov/datastore/uploads/forms/Mediation_Questionnaire.pdf.

The purpose of this questionnaire is to help the court's mediators provide the best possible mediation service in this case; it serves no other function. Responses to this questionnaire are **not** confidential. Appellants/Petitioners must electronically file this document within 7 days of the docketing of the case. 9th Cir. R. 3-4 and 15-2. Appellees/Respondents may file the questionnaire, but are not required to do so.

9th Circuit Case Number(s): 16-56287 (and prior pending appeal, 16-56057)

District Court/Agency Case Number(s): 2:15-cv-03462 RGK (AGRx)

District Court/Agency Location: Central District of California

Case Name: Michael Skidmore v. Led Zeppelin et al.

If District Court, docket entry number(s) of order(s) appealed from: Document No. 312

Name of party/parties submitting this form: Appellant Warner/Chappell Music, Inc.

Briefly describe the dispute that gave rise to this lawsuit.

Plaintiff sued alleging that Stairway to Heaven, written by Jimmy Page and Robert Plant and recorded by Led Zeppelin in 1970, infringes the copyright in a musical composition titled Taurus written by Randy Craig Wolfe.

Briefly describe the result below and the main issues on appeal.

The case was tried to a jury, which returned a verdict in defendants' favor, and the District Court entered Judgment accordingly. This appeal (No. 16-56287) by Warner/Chappell Music, Inc., is from the District Court's Order denying Warner/Chappell Music, Inc.'s motion for attorneys' fees and motion for additional costs not taxable by the Clerk.

(Continue to next page)

Describe any proceedings remaining below or any related proceedings in other tribunals.

The Clerk has not yet acted on the Application to Tax Costs (Document 294).

Provide any other thoughts you would like to bring to the attention of the mediator.

A mediation assessment conference was held on September 8, 2016 in No. 16-56057, and the case was not selected for inclusion in the Mediation Program.

*Any party may provide additional information **in confidence** directly to the Circuit Mediation Office at ca09_mediation@ca9.uscourts.gov. Provide the case name and Ninth Circuit case number in your message. Additional information might include level of interest in including this case in the mediation program, the case's settlement history, issues beyond the litigation that the parties might address in a settlement context, or future events that might affect the parties' willingness or ability to mediate the case.*

CERTIFICATION OF COUNSEL

I certify that:

☒ a current service list with telephone and fax numbers and email addresses is attached (see 9th Circuit Rule 3-2).

☒ I understand that failure to provide the Court with a completed form and service list may result in sanctions, including dismissal of the appeal.

Signature

("s/" plus attorney name may be used in lieu of a manual signature on electronically-filed documents.)

Counsel for

How to File: Complete the form and then convert the filled-in form to a static PDF (File > Print > PDF Printer or any PDF Creator). To file, log into Appellate ECF and select File Mediation Questionnaire. (*Use of the Appellate ECF system is mandatory for all attorneys filing in this Court, unless they are granted an exemption from using the system.*)

SERVICE LIST

The parties to defendant Warner/Chappell Music, Inc.'s appeal and those parties' respective counsel of record are as follows:

Defendant and appellant Warner/Chappell Music, Inc.

Peter J. Anderson, Esq.
Law Offices of Peter J. Anderson
A Professional Corporation
100 Wilshire Boulevard, Suite 2010
Santa Monica, CA 90401
E-mail: pja@pjanderson.com
Tel: (310) 260-6030
Fax: (310) 260-6040

Plaintiff and appellee Michael Skidmore

Francis Malofiy, Esq.
Francis Alexander, LLC
280 N. Providence Road, Suite 1
Media, PA 19063
E-mail: francis@francisalexander.com
Tel: (215) 500-1000
Fax: (215) 500-1005

Glen L. Kulik, Esq.
Kulik Gottesman & Siegel LLP
15303 Ventura Boulevard, Suite 1400
Sherman Oaks, CA 91403
E-mail: gkulik@kgslaw.com
Tel: (310) 557-9200
Fax: (310) 557-0224

The parties to this District Court action and those parties' respective counsel of record are as follows:

Plaintiff Michael Skidmore

Francis Malofiy, Esq.
Alfred Joseph Fluehr, Esq.
Francis Alexander, LLC
280 N. Providence Road, Suite 1
Media, PA 19063
E-mail: francis@francisalexander.com
Tel: (215) 500-1000
Fax: (215) 500-1005

///

///

1 Glen L. Kulik, Esq.
2 Kulik Gottesman & Siegel LLP
3 15303 Ventura Boulevard, Suite 1400
4 Sherman Oaks, CA 91403
5 E-mail: gkulik@kgslaw.com
6 Tel: (310) 557-9200
7 Fax: (310) 557-0224

8 Defendants James Patrick Page, Robert Anthony Plant, John Paul Jones,
9 Warner/Chappell Music, Inc., Super Hype Publishing, Inc.,
10 Atlantic Recording Corp., Rhino Entertainment Company and
11 Warner Music Group Corp.¹

12 Peter J. Anderson, Esq.
13 Law Offices of Peter J. Anderson
14 A Professional Corporation
15 100 Wilshire Boulevard, Suite 2010
16 Santa Monica, CA 90401
17 E-mail: pja@pjanderson.com
18 Tel: (310) 260-6030
19 Fax: (310) 260-6040

20 Defendants James Patrick Page, Robert Anthony Plant and John Paul Jones

21 Helene Freeman, Esq.
22 Philips Nizer LLP
23 666 Fifth Avenue
24 New York, NY 10103-0084
25 E-Mail: hfreeman@phillipsnizer.com
26 Tel: (212) 977-9700
27 Fax: (212) 262-5152

28 ///

///

///

///

///

¹ Plaintiff's complaint and his Representation Statement submitted with his Notice of Appeal (Document 305-1) purport to identify "Led Zeppelin" as a defendant, but that is the name of a musical group, it is not a juridical entity capable of suing or being sued and, accordingly, it was never served and never appeared in this action.